## REMARKS

Entry of the above amendments and reconsideration of this application are requested. Upon entry of the amendments, this application will contain claims 11-23, 38-43 and 79-83 pending and under consideration. For the following reasons, it is believed that all rejections in the most recent Office Action are overcome. Reconsideration and allowance of this application as amended are therefore respectfully requested.

Preliminarily, submitted herewith is a Request for Correction of Inventorship, to add Vikram Patel as an inventor to the present application. Grant of the Request is solicited.

Claims 38-43 stand rejected under the first paragraph of 35 U.S.C. § 112, upon assertions that they do not comply with the written description and enablement requirements of that paragraph. The amendment to claim 38 suggested by the Examiner in the Office Action has been entered. It is believed that these rejections have thereby been removed without admission.

Claims 11-23, 38-39 and 79-83 stand rejected under 35 U.S.C. § 103(a), upon an assertion that they are unpatentable over Lim et al. taken with any of Williams et al., Moritz et al, Williams and Patel, and Finer, and further in view of applicant's admission over the prior art of record on pages 16 and 23 of the application. This rejection is respectfully traversed.

In making this rejection, the Action notes that the primary reference, Lim et al, fails to teach the concept of employing functionally active fibronectin fragments as claimed. The Action relies upon certain secondary references for this teaching. However, the pertinent secondary references are not available as prior art. The Williams et al. reference was published on an unspecified date in 1994 and is not available, at the least, because it represents the work of the present inventors. The Moritz/Williams reference was published in April 1994 and also represents the work of the present inventors. Williams and Patel represents the work of the present inventors

and is also unavailable under 35 U.S.C. § 102(e)/103 because it is not an application filed by another. As to Finer, it appears from reviewing the prior related patents on the face of Finer (5,686,279 and 5,834,256) that the information concerning fibronectin upon which the Examiner relies was added only in the 08/517,488 application filed on August 21, 1995. Accordingly, the effective date of the reference is after the priority claimed in the instant application. As to the noted admissions, these only reference the existence of fibronectin materials in the prior art, and do not teach or suggest the claimed invention.

For the foregoing reasons, it is submitted that the above-noted rejection is overcome, and its withdrawal is solicited.

Claims 11-23, 38-43 and 79-83 stand rejected under 35 U.S.C. § 102(e) as being anticipated by, or in the alternative, under 35 U.S.C. 103(a), as being unpatentable over either Williams et al. (US 5,686,278) or Finer (US 6,051,427). This rejection is respectfully traversed. Williams et al. has the same inventive entity as the present application, and is therefore not available as prior art under 35 U.S.C. § 102(e). As noted above, the information relied upon by the Examiner in Finer was added to the Finer series of applications/patents after the priority date for the present claims. Accordingly, Finer is unavailable as prior art in this context as well. Withdrawal of this rejection is thus solicited.

Claims 11-23, 38-43, and 79-83 stand rejected under the judicially-created doctrine of obviousness-type double patenting, relative to claims 1-20 of US 5,686,278 or claims 1-14 of US 6,033,907. In response, submitted herewith is a terminal disclaimer as to US 5,686,278. As to US 6,033,907, this rejection is traversed. US 6,033,907 is not commonly owned with the present application. In the present application, ownership obligations and interests exist in both Advanced Research and Technology Institute and Northwestern University. On the other hand, the claims in US 6,033,907 relate to improvements over the prior '278 patent and the present application, which improvements are not and were not owned by both of these parties. Instead, the '907 patent and subject improvements were and are owned solely by Advanced Research and Technology Institute. Accordingly, it is submitted that the

double patenting rejection is improper relative to the '907 patent as there is no common ownership.

In view of the foregoing, reconsideration and allowance of this application are requested. The Examiner is invited to telephone the undersigned attorney if there are any questions about this submission or other formal matters that may be handled in that fashion to expedite the allowance of this application.

Respectfully submitted

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